

**REAL ESTATE BOARD
MINUTES
MADISON, WISCONSIN
DECEMBER 9, 1999**

PRESENT: James R. Imhoff (arrived at 10:18), Richard Hinsman, Bettye Lawrence, Harold Lee, Jerome Nelson, Richard Kollmansberger, Nancy Gerrard (by telephone)

STAFF PRESENT: Cletus Hansen and Jan Neitzel; and Division of Enforcement staff and Bill Dusso were present for portions of the meeting.

GUESTS: Rick Staff, WRA

CALL TO ORDER

The meeting was called to order at 10:15 a.m. by Dick Hinsman, Vice Chair, upon confirmation that the public notice was timely given. A quorum of 6 members was present.

AGENDA

Clete Hansen stated that several stipulations and cases were added to the agenda.

MOTION: Bettye Lawrence moved, seconded by Harold Lee, to adopt the agenda as amended. Motion carried unanimously.

MINUTES (10/28/99)

MOTION: Harold Lee moved, seconded by Bettye Lawrence, to approve the minutes as written. Motion carried unanimously.

ADMINISTRATIVE REPORT

Secretary Cummings' Report

Secretary Cummings was not available.

Division Administrator's Report

Jim Imhoff arrived at this point and chaired the remainder of the meeting.

- Board Roster

The Board received a copy of the September 1999 roster. Noted.

- Meeting Dates for 2000

The Board received a copy of the meeting dates for the year 2000. Noted.

- Screening Statistics

The Board received a copy of the October 28, 1999, screening statistics. Noted.

LEGISLATIVE UPDATE

Megan's Law AB 613

The Board received a copy of the November 16, 1999, e-mail message from Rick Staff relating to Megan's Law. Noted.

The Board received a copy of the updated Assembly Bill 613 analysis.

Rick Staff reported the Megan's Law Bill has been approved by the Assembly Committee.

Real Estate Broker Supervision: AB 566 & SB 286

The Board received a copy of Assembly Bill 566 and SB 286, relating to broker supervision.

Clete Hansen discussed his testimony before the Housing Committee on October 27, 1999, in support of this bill.

Other

None.

ADMINISTRATIVE RULES

Rule Draft Relating to Supervision, Negotiations, etc.

Informally tabled until January 27, 2000.

NEW BUSINESS

Richard Hinsman expressed his concerns regarding the fact all licensees do not have access to information, such as that available to members of the Wisconsin Realtors Association in the Legal Update publications. The Board concurred with the Chair's recommendation that some especially critical items can be placed in the Regulatory digest.

PUBLIC COMMENT

No public comment.

RECESS TO CLOSED SESSION

MOTION: Nancy Gerrard moved, seconded by Richard Hinsman, to convene the meeting in Closed Session pursuant to Sections 19.85(1)(a), (b), and (f), Wis. Stats., to consider the licensing or discipline of a person licensed by the Department or the investigation of charges against such a person. Specifically, to discuss the issue of case status reports, case closings, monitoring reports, deliberations on stipulations that may be signed after printing of the agenda, and disciplinary proceedings. Motion carried unanimously by a roll call vote: Nancy Gerrard-yes; Richard Hinsman-yes; Richard Kollmansberger-yes; Bettye J. Lawrence-yes; Harold Lee-yes; Jerome M. Nelson-yes; James R. Imhoff-yes. Motion carried unanimously.

Open Session recessed at 10:31 a.m.

The Board received a copy of the Division of Enforcement Case Status Report.

The Board deliberated on case closings, stipulations, and an administrative warning.

Final voting on these issues was conducted in Open Session.

RECONVENE IN OPEN SESSION

MOTION: Richard Kollmansberger moved, seconded by Jerome Nelson, to adjourn the Closed Session and to reconvene in Open Session at 11:15 a.m. Motion carried unanimously.

VOTING ON ITEMS CONSIDERED OR DELIBERATED UPON IN CLOSED SESSION

Administrative Warnings

DW

MOTION: Harold Lee moved, seconded by Jerome Nelson, to reaffirm their previous decision to issue an administrative warning to DW and that Cletus Hansen be authorized to sign the order with James Imhoff's signature, followed by Mr. Hansen's initials. Motion carried unanimously.

STIPULATIONS

Peter G. Beckley (Appleton, WI)

MOTION: Harold Lee moved, seconded by Bettye Lawrence, to accept the Stipulation, Findings of Fact, Conclusions of Law and Order in the disciplinary matter involving Peter G. Beckley. Motion carried unanimously.

Craig L. Berry (Milwaukee, WI)

MOTION: Richard Kollmansberger moved, seconded by Jerome Nelson, to accept the Stipulation, Findings of Fact, Conclusions of Law and Order in the disciplinary matter involving Craig L. Berry. Motion carried unanimously.

Marcia S. Jaggart (Stevens Point, WI)

MOTION: Jerome Nelson moved, seconded by Richard Hinsman, to accept the Stipulation, Findings of Fact, Conclusions of Law and Order in the disciplinary matter involving Marcia S. Jaggart. Motion carried unanimously.

Ward K. Wolff (Stevens Point, WI)

MOTION: Richard Kollmansberger moved, seconded by Bettye Lawrence, to accept the Stipulation, Findings of Fact, Conclusions of Law and Order in the disciplinary matter involving Ward K. Wolff. Motion carried unanimously.

David J. Rehberg (Brown Deer, WI)

MOTION: Harold Lee moved, seconded by Richard Kollmansberger, to accept the Stipulation, Findings of Fact, Conclusions of Law and Order in the disciplinary matter involving David J. Rehberg. Motion carried unanimously.

Clarence Sullivan (Viroqua, WI)

MOTION: Bettye Lawrence moved, seconded by Jerome Nelson, to accept the Stipulation, Findings of Fact, Conclusions of Law and Order in the disciplinary matter involving Clarence Sullivan. Motion carried unanimously.

CASE CLOSINGS

MOTION: Richard Hinsman moved, seconded by Richard Kollmansberger, to close the following cases presented by the Division of Enforcement for closing. Motion carried unanimously.

| | | |
|------------|----------------------------|--------------------------|
| 97 REB 245 | Bailerys Harbor Yacht Club | Prosecutorial discretion |
| 97 REB 245 | Jon Massad | Prosecutorial discretion |
| 99 REB 092 | Charles I. Owen | No violation |
| 99 REB 092 | William Papaik | No violation |
| 99 REB 049 | Marie Brandtmiller | No violation |
| 98 REB 055 | Walter G. Kenimer | P1, Letter of concern |
| 98 REB 055 | Hamilton & Associates | P1, Letter of concern |
| 98 REB 055 | Lawrence R. Hamilton | P1, Letter of concern |
| 99 REB 059 | Kevin S. Dittmar | P1, Letter of concern |

| | | |
|------------|--------------------------------------|--|
| 99 REB 059 | Clarence H. Dittmar | P1, Letter of concern |
| 99 REB 059 | Dittmar Realty Inc. | P1, Letter of concern |
| 99 REB 059 | William Jensch | P1, Letter of concern |
| 99 REB 059 | Schey Development Co. Inc. | P1, Letter of concern |
| 99 REB 059 | Cletus Schey | P1, Letter of concern |
| 99 REB 114 | Alan J. Bauman | No violation |
| 99 REB 114 | Daniel D. Demmerly | No violation |
| 98 REB 281 | Susan J. Bramer | P1 |
| 98 REB 281 | ERA Brunelle Real Estate LTD | P1 |
| 98 REB 281 | Rein M. Couperus | P1 |
| 97 REB 083 | Thomas Holman | Insufficient evidence, letter of concern |
| 98 REB 288 | David J. Schmidt | Insufficient evidence, letter of concern |
| 98 REB 288 | David P. Schmidt | Insufficient evidence, letter of concern |
| 99 REB 144 | Donna Satterlund | No violation |
| 99 REB 144 | Michael Germain | No violation |
| 99 REB 144 | Real Estate Properties Inc. | No violation |
| 96 REB 076 | Lois L. De Vries | P1 |
| 96 REB 076 | Donald L. White | P1 |
| 96 REB 076 | Parker Realtors Inc. | P1 |
| 98 REB 245 | Jacqueline F. Capps | P1, letter of concern |
| 99 REB 097 | Peggy A. Lovejoy | Insufficient evidence |
| 99 REB 097 | Lovejoy Realty, Inc. | Insufficient evidence |
| 97 REB 229 | Thomas N. Pendergast | P1 |
| 97 REB 229 | Donald F. Horning | P1 |
| 97 REB 229 | Shorewest Realtors, Inc. | P1 |
| 99 REB 185 | Sylvia Thompson | P1, letter of concern |
| 99 REB 004 | Crossroads Realty | P7 |
| 98 REB 127 | West Side Realty | P1 |
| 99 REB 165 | Allen R. Kerman | No jurisdiction |
| 96 REB 308 | Clarence Sullivan | P7 |
| 96 REB 308 | David Reed | P7 |
| 96 REB 308 | Sullivan Real Estate and Auction Co. | P7 |

ADJOURNMENT

MOTION: Richard Hinsman moved, seconded by Jerome Nelson, to adjourn the meeting. Motion carried unanimously.

Meeting adjourned at 11:18 a.m.